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MAY 26 2004

OFFICE OF PETITIONS

In re Application of :
Thomas W. Hagler :
Application No. 09/848,614 : DECISION GRANTING PETITION
Filed: May 3, 2001 : UNDER 37 CFR 1.137(b)
Attorney Docket No. M-10489-1P US :

This is a decision on the petition under 37 CFR 1.137(b), filed May 17, 2004, to revive the above-identified application.

The petition is GRANTED.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action mailed July 8, 2002, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on October 9, 2002.

The first petition fee is unnecessary. Therefore, a refund of \$650.00 is being credited to Deposited Account No. 50-2664.

A Notice Regarding Rescission of Nonpublication Request projected publication date will be mailed under separate cover.

Any inquiries concerning this decision may be directed to the undersigned at (703) 306-5685.

The application is being forwarded Technology Center AU 2877.

Wan Laymon
Wan Laymon

Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy